



COMMONWEALTH of VIRGINIA

Molly Joseph Ward
Secretary of Natural Resources

DEPARTMENT OF ENVIRONMENTAL QUALITY
Blue Ridge Regional Office
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August 17, 2016

Mr. Tim Dawson
Regional HSE & Product Safety, Regulatory Manager
Siegwerk USA Co.
3535 SW 56th Street
Des Moines, Iowa 50321

Location: Lynchburg, VA
Registration No.: 21535

Dear Mr. Dawson:

Attached is a permit to operate your facility pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution.

The permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all permit conditions carefully.

In evaluating the application and arriving at a final decision to issue this permit, the Department deemed the application complete on April 20, 2016 and solicited written public comments by placing a newspaper advertisement in The News & Advance on June 28, 2016. The thirty day comment period (provided for in 9VAC5-80-670) expired on July 28, 2016 with no comments having been received in this office.

This approval to operate does not relieve Siegwerk USA Co. of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9 VAC 5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you,

whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

David K. Paylor, Director
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

If you have any questions concerning this permit, please call Terry Moore at 434-582-6251.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Weld", is written over a horizontal line.

Robert J. Weld
Regional Director

RJW/TLM

Attachments: Permit
Source Testing Report Format

cc: Director, OAPP (electronic file submission)
Manager, Data Analysis (electronic file submission)
Manger/Inspector, Air Compliance



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Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1, of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300, of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Siegwerk USA Co.
Facility Name: Siegwerk USA Co.
Facility Location: 4225 Murray Place
Lynchburg, VA 24501

Registration Number: 21535
Permit Number: BRRO-21535

This permit includes the following programs:

Federally Enforceable Requirements - Clean Air Act (Pages 3 through 21)

August 17, 2016
Effective Date

Robert J. Weld

August 16, 2021
Expiration Date

Signature Date

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Facility Information

Permittee
Siegwerk USA Co.
3535 SW 56th Street
Des Moines, Iowa 50321

Responsible Official
Tim Dawson
Regional HSE Manager

Facility
Siegwerk USA Co.
4225 Murray Place
Lynchburg, VA 24501

Contact Person
Tim Dawson
Regional HSE Manager
(515) 471-2193

County-Plant Identification Number: 51-680-00211

Facility Description: NAICS 562910 - Siegwerk is permitted to operate an environmental site remediation of soil and groundwater containing toluene.

Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Document Date
Remediation Equipment							
S1.S2	S1	Soil Vapor Extraction and Groundwater Recovery Systems - 2011	609acfm	Thermal Catalytic Oxidizer PRM Model CATOX E-1000	CS1	VOC	March 23, 2011
AWS1	See above	Air/water separator tank	80 gallons	See above	See above	See above	See above
AWS2	See above	Air/water separator tank	120 gallons	See above	See above	See above	See above
OWS1	See above	Oil/water separator	14 gpm – max flow rate	See above	See above	See above	See above
PT1	See above	Product Recovery Tank	300 gallon	See above	See above	See above	See above

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

Process Equipment Requirements – Soil Vapor Extraction and Groundwater Recovery Systems (S1 and S2)

Limitation

1. **Process Equipment Requirements - (S1 and S2) - Limitations** - VOC emissions from the soil vapor and groundwater recovery systems shall be controlled by a thermal catalytic oxidizer with recuperative heat recovery. The thermal catalytic oxidizer shall be provided with adequate access for inspection and shall be in operation when the soil vapor extraction and groundwater recovery systems are operating.
(9VAC5-80-110 and Condition 2 of 3/23/2011 Permit Document)
2. **Process Equipment Requirements - (S1 and S2) - Limitations** - The thermal catalytic oxidizer shall maintain a control efficiency for VOC of no less than 95 percent on a mass basis.
(9VAC5-80-110 and Condition 3 of 3/23/2011 Permit Document)
3. **Process Equipment Requirements - (S1 and S2) - Limitations** - The catalytic oxidizer shall maintain a minimum oxidizer inlet temperature of 650°F.
(9VAC5-80-110)
4. **Process Equipment Requirements - (S1 and S2) - Limitations** - Visible emissions from the thermal catalytic oxidizer shall not exceed 5 percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9VAC5-80-110 and Condition 10 of 3/23/2011 Permit Document)
5. **Fuel Burning Equipment Requirements - (S1 and S2) - Limitations** - Emissions from the operation of the soil and groundwater remediation system shall not exceed the limits specified below:

Volatile Organic Compounds	0.9 lbs/hr	3.8 tons/yr
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Annual emissions shall be calculated as the sum of each consecutive 12 month period

These emissions are derived from the estimated overall emission contribution from operating limits. Exceedance of the operating limits may be considered credible evidence of the exceedance of emission limits. Compliance with these emission limits may be determined as stated in Condition numbers 6, 7 and 8.

(9VAC5-80-110 and Condition 9 of 3/23/2011 Permit Document)

Monitoring

6. **Process Equipment Requirements - (S1 and S2) - Monitoring** - Activity tests shall be conducted on the catalyst for activity level in percent of VOC destruction. The initial test shall be conducted after one (1) year's operation, but no later than 15 months after startup. After the initial test, the tests shall be conducted on an annual basis. The details of the tests are to be arranged with the Blue Ridge Regional Office. Two written copies of the test results shall be submitted to the Blue Ridge Regional Office within 45 days after test completion.
(9VAC5-80-110 and Condition 4 of 3/23/2011 Permit Document)
7. **Process Equipment Requirements - (S1 and S2) - Monitoring** - The thermal catalytic oxidizer shall be equipped with devices to continuously measure catalytic oxidizer gas temperature both immediately upstream and downstream of the catalyst bed. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each monitoring device shall be provided with adequate access for inspection and shall be in operation when the soil vapor extraction and groundwater recovery systems are operating.
(9VAC5-80-110 and Condition 5 of 3/23/2011 Permit Document)
8. **Process Equipment Requirements - (S1 and S2) - Monitoring** - The temperature monitoring devices used to continuously measure temperature shall be observed by the permittee with a frequency of not less than once per day. The permittee shall keep a log of the observations from the temperature monitoring devices, including operation outside of the operating temperature range stated in the permittee's Startup, Shutdown and Malfunction Plan and action taken.
(9VAC5-80-110 and Condition 6 of 3/23/2011 Permit Document)
9. **Process Equipment Requirements - (S1 and S2) - Monitoring** - A temperature operating range (minimum and maximum) for the thermal catalytic oxidizer shall be established and included in the facility's written Startup, Shutdown and Malfunction Plan.
(9VAC5-80-110)
10. **Process Equipment Requirements - (S1 and S2) - Monitoring** - At least one time per calendar month an observation of the presence of visible emissions from the soil vapor and groundwater recovery system stack (Ref. No. S1) shall be made. The presence of visible emissions shall require the permittee to take timely corrective action such that the soil vapor and groundwater recovery system stack (Ref. No. S1) resumes operation with no visible emissions. The permittee shall maintain a stack observation log to demonstrate compliance. The log shall include the date and time of the observations, whether or not there were visible emissions, any necessary corrective action, and the name of the observer. If the equipment has not been operated during the month, it shall be noted in the log book that the equipment was not operational.
(9VAC5-80-110 E and 9VAC5-80-110 K)

Recordkeeping

11. Process Equipment Requirements - (S1 and S2) - Recordkeeping - The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Director, Blue Ridge Regional Office. These records shall include, but are not limited to:

- a. Annual hours of operation of soil vapor extraction and groundwater recovery system, calculated monthly as the sum of each consecutive 12 month period.
(Condition 12 of 3/23/2011 Permit Document)
- b. Operation and control device monitoring records for the catalytic oxidizer.
(Condition 12 of 3/23/2011 Permit Document)
- c. The origin and value of all emission factors for all pollutants relied upon for purposes of calculating actual emission rates and the equations used in these calculations.
Condition 12 of 3/23/2011 Permit Document
- d. Results of opacity observations required in Condition 10, along with details regarding any necessary corrective actions.
- e. Records of maintenance and training.
(Condition 17 of 3/23/2011 Permit Document)
- f. Records of catalytic oxidizer gas temperature both immediately upstream and downstream of the catalyst bed required in Condition 7.
- g. Temperature log required in Condition 8, along with details regarding any necessary corrective action.
- h. Copies of the permittee's written Startup, Shutdown and Malfunction Plan and VOC Monitoring Plan.
- i. Occurrence and duration of any bypass, malfunction, shutdown or failure of the facility or its associated air pollution control equipment that results in excess emissions for more than one hour. Records shall include the date, time, duration, description (emission unit, pollutant affected, cause), corrective action, preventive measures taken and name of person generating the record.
(Condition 18 of 3/23/2011 Permit Document)

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9VAC5-50-50, 9VAC5-80-110 and Condition 12 of 3/23/2011 Permit Document)

Testing

12. **Process Equipment Requirements - (S1 and S2) - Testing** - The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations. (9VAC5-50-30, 9VAC5-80-110 and Condition 7 of 3/23/2011 Permit Document)
13. **Process Equipment Requirements - (S1 and S2) - Testing** - If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the appropriate method(s) in accordance with procedures approved by the DEQ. (9VAC -80-110)

National Emissions Standards for Hazardous Air Pollutants (NESHAP) MACT Subpart GGGGG Requirements (S1 and S2)

The soil vapor extraction and ground water recovery system is subject to 40 CFR Part 63 Subpart GGGGG National Emissions Standards for Hazardous Air Pollutants: Site Remediation per 40 CFR 63.7881 and 63.7882. Definition of terms for the purpose of this subpart is provided in §63.7957. The applicable requirements are identified in Conditions 14 through 28.

General Standards

14. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) - General Standards** - The soil vapor extraction and ground water recovery system must meet the general standards as stated below:
- a. For the site remediation as specified in §§63.7885 through 63.7955 as applicable to your affected source.
(§63.7884(a))
 - b. For the remediation material management units as specified in §63.7886(b).
(§63.7886(a))
 - c. For equipment leaks as specified in §§63.7920 through 63.7922.
(§63.7887(a))

(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)

Emissions Limitations and Work Practice

15. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) - Emissions Limitations and Work Practices Standards** - HAP emissions from the soil vapor extraction and ground water recovery system must be controlled by the limitations and work practice standards stated below:
- a. For each tank subject to §63.7886(b)(1)(i) according to §63.7895(b) and (c).
(§63.7895(a))

- b. For each oil-water separator subject to §63.7886(b)(1)(iv) according to §63.7910(b)(2).
(§63.7910(a))
- c. For each transfer system subject to §63.7886(b)(1)(v) according to §63.7915(b) and (c)(2) and (c)(3).
(§63.7915(a))
- d. For each equipment (i.e., leaks) subject to §63.7887 according to §63.7920(b)(1) and (c).
(§63.7920(a))
- e. From each closed-vent system and control device use to comply with requirements in §§63.7890 through 63.7922, as applicable to affected sources, according to §63.7925(b), (c), (d)(1), (g)(5) and (i).
(§63.7925(a))

(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)

Inspection and Monitoring

16. NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – Inspection and Monitoring - Inspection and monitoring requirements for the soil vapor extraction and ground water recovery system are stated below:

- a. For tanks you must visually inspect each of tank using Tank Level 1 controls for defects at least annually according to the requirements in §63.906(a).
(§63.7897(a))
- b. For separators, if you use a cover vented to a control device according to §63.7910(b)(1) or (2), you must meet requirements in §63.7912(b).
(§63.7912)
- c. For transfer systems perform inspections as follows:
 - i. If you operate an individual drain system as a transfer system according to §63.7915(b), you must visually inspect each individual drain system at least annually according to the requirements in §63.964(a).
(§63.7917(a))
 - ii. If you operate a transfer system consisting of hard piping according to §63.7915(c)(2), you must annually inspect the unburied portion of pipeline and all joints for leaks and other defects. In the event that a defect is detected, you must repair the leak or defect according to the requirements of paragraph (e) of this section.
(§63.7917(c))

- iii. If you operate a transfer system that is enclosed and vented to a control device according to §63.7915(c)(3), you must meet requirements in §63.7917(d)(1) and (2).
(§63.7917(d))
- iv. If you are subject to §63.7917(c) or (d), you must repair all detected defects as specified in §63.7917 (e)(1) through (3).
(§63.7917(e))
- d. For each closed vent system you must comply with the requirements in §63.7927(a) .
- e. For a catalytic incinerator you must use a CPMS with two temperature sensors to measure and record the hourly average temperature at the inlet of the catalyst bed, the hourly average temperature at the outlet of the catalyst bed, the hourly average temperature difference across the catalyst bed, and to determine and record the daily average temperature difference across the catalyst bed.
(§63.7927(f)).
- f. Monitoring installation, operation, and maintenance for each CPMS as required by §63.7945.

(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)

Recordkeeping

17. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – Recordkeeping -**
The permittee shall keep records as required in §63.7952. The records shall be in a form and retained as required in §63.7953.
(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)

Initial Compliance

18. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – Initial Compliance -**
The permittee shall demonstrate initial compliance to emissions limitations and work practice standards as stated below:
- a. For Tanks as stated in §63.7896.
 - b. For Separators as stated in §63.7911.
 - c. For Transfer systems as stated in §63.7916.
 - d. For Equipment leaks as stated in §63.7921.

e. For Closed vent systems and control devices as stated in §63.7926.

f. For General Standards as stated in §63.7937.

(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)

Continuous Compliance

19. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – Continuous Compliance** - The permittee shall demonstrate continuous compliance to emissions limitations and work practice standards for the equipment as stated below:

a. For tanks according to the requirements in §63.7898(b) and (c).
(§63.7898(a))

b. For separators as stated in §63.7913(c).
(§63.7913(a))

c. For transfer systems as stated in §63.7918(b), (d) and (e).
(§63.7918(a))

d. Equipment leaks as stated in §63.7922(c) and (d).
(§63.7922(a))

e. Closed vent systems and control devices as stated in §63.7928(b)(2), (3), (4), (5), (7) (c), (d) and (h).
(§63.7928(a))

f. General Standards as stated in §63.7938(c)(1) and (d).
(§63.7938(a))

g. Monitor and data collection as stated in §63.7946.

(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)

General Compliance

20. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – General Compliance** - The permittee shall comply with the general requirements as stated in §63.7935.

(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)

21. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – General Compliance** - The permittee, if transferring remediation material off-site, shall comply with the requirements stated in §63.7936.

(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)

Performance Tests

22. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – Performance Tests -**
The permittee shall conduct performance tests or other initial compliance demonstrations in accordance to §§63.7940 and 63.7941.
(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)
23. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – Performance Tests -**
Subsequent performance tests shall be conducted at any time the EPA requires you to according to §63.7(3).
(9VAC5-80-110 and 40 CFR Part 63.7942)
24. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – Performance Tests -**
The permittee shall determine the average VOHAP concentration of the remediation material in accordance with §63.7943.
(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)
25. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – Performance Tests -**
The permittee shall determine the maximum HAP vapor pressure of the remediation material in accordance with §63.7944.
(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)

Reporting

26. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – Reporting -** The permittee shall submit the reports in accordance with §63.7951.
(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)

Notifications

27. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – Notifications -** The permittee shall submit the applicable notifications in accordance with §63.7950.
(9VAC5-80-110 and 40 CFR Part 63 Subpart GGGGG)

General Provisions of 40 CFR Part 63 Subpart A

28. **NESHAP MACT Subpart GGGGG Requirements - (S1 and S2) – General Provisions**
- The permittee shall comply with the applicable requirements of 40 CFR Subpart A as stated in Table 3 of 40 CFR Part 63 Subpart GGGGG, except for the SSM exemption provisions of §63.6(f)(1) and (h)(1), which are no longer allowed due to United States Court of Appeals for the District of Columbia Circuit ruling in *Sierra Club v. EPA*, 551 F.3rd 1019 (D.C. Cir.2008.)
(9VAC5-80-110 and 40 CFR Part 63.7955)

Facility Wide Conditions

29. **Facility Wide Conditions - Maintenance/Operating Procedures** - At all times, including periods of start-up, shutdown, and malfunction, the permittee shall, to the extent practicable, maintain and operate the affected source, including associated air pollution control equipment, in a manner consistent with good air pollution control practices for minimizing emissions.

The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:

- a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
- b. Maintain an inventory of spare parts.
- c. Have available written operating procedures for equipment. These procedures shall be based on the manufacturer's recommendations, at a minimum.
- d. Train operators in the proper operation of all such equipment and familiarize the operators with the written operating procedures, prior to their first operation of such equipment. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

(9VAC5-80-110 and Condition 17 of the 3/23/11 Permit Document)

30. **Facility Wide Conditions - Violation of Ambient Air Quality Standard** - The permittee shall, upon request of the DEQ, reduce the level of operation or shut down a facility, as necessary to avoid violating any primary ambient air quality standard and shall not return to normal operation until such time as the ambient air quality standard will not be violated.
(9VAC5-80-110 and Condition 20 of the 3/23/11 Permit Document)

Insignificant Emission Units

31. **Insignificant Emission Units** - The following emission units at the facility are identified in the application as insignificant emission units under 9VAC5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9 VAC 5-80-720B)	Rated Capacity (9 VAC 5-80-720C)
None				

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

Permit Shield & Inapplicable Requirements

32. **Permit Shield & Inapplicable Requirements** - Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
None identified		

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.

(9VAC5-80-140)

General Conditions

33. **General Conditions - Federal Enforceability** - All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9VAC5-80-110 N)
34. **General Conditions - Permit Expiration** - This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9VAC5-80-80, the right of the facility to operate shall be terminated upon permit expiration.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)
35. **General Conditions - Permit Expiration** - The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)

36. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9VAC 5 Chapter 80, until the Board takes final action on the application under 9VAC5-80-150.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)
37. **General Conditions - Permit Expiration** - No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9VAC5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9VAC5 Chapter 80.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)
38. **General Conditions - Permit Expiration** - If an applicant submits a timely and complete application under section 9VAC5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)
39. **General Conditions - Permit Expiration** - The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.
(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D and 9VAC5-80-170 B)
40. **General Conditions - Recordkeeping and Reporting** - All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
- a. The date, place as defined in the permit, and time of sampling or measurements;
 - b. The date(s) analyses were performed;
 - c. The company or entity that performed the analyses;
 - d. The analytical techniques or methods used;
 - e. The results of such analyses; and
 - f. The operating conditions existing at the time of sampling or measurement.
- (9VAC5-80-110 F)

41. **General Conditions - Recordkeeping and Reporting** - Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.
(9VAC5-80-110 F)

42. **General Conditions - Recordkeeping and Reporting** - The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31; and
- b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
 - i. Exceedance of emissions limitations or operational restrictions;
 - ii. Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM) which indicates an exceedance of emission limitations or operational restrictions; or,
 - iii. Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9VAC5-80-110 F)

43. **General Conditions - Annual Compliance Certification** - Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the certification. The time period to be addressed is January 1 to December 31;
- b. The identification of each term or condition of the permit that is the basis of the certification;
- c. The compliance status;
- d. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance;
- e. Consistent with subsection 9VAC5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period;
- f. Such other facts as the permit may require to determine the compliance status of the source; and
- g. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3_APD_Permits@epa.gov

(9VAC5-80-110 K.5)

- 44. **General Conditions - Permit Deviation Reporting** - The permittee shall notify the Director, Blue Ridge Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition 42 of this permit. (9VAC5-80-110 F.2 and 9VAC5-80-250)
- 45. **General Conditions - Failure/Malfunction Reporting** - In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall (1) no later than four daytime business hours after the malfunction is discovered, notify the Director, Blue Ridge Regional Office of such failure or malfunction and (2) within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Blue Ridge Regional Office.
(9VAC5-20-180 C and Condition 19 of 3/23/2011 Permit Document)

46. **General Conditions - Severability** - The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.
(9VAC5-80-110 G.1)
47. **General Conditions - Duty to Comply** - The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9VAC5-80-110 G.2)
48. **General Conditions - Need to Halt or Reduce Activity not a Defense** - It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9VAC5-80-110 G.3)
49. **General Conditions - Permit Modification** - A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1605, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9VAC5-80-190 and 9VAC5-80-260)
50. **General Conditions - Property Rights** - The permit does not convey any property rights of any sort, or any exclusive privilege.
(9VAC5-80-110 G.5)
51. **General Conditions - Duty to Submit Information** - The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9VAC5-80-110 G.6)
52. **General Conditions - Duty to Submit Information** - Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9VAC5-80-80 G.
(9VAC5-80-110 K.1)

53. **General Conditions - Duty to Pay Permit Fees** - The owner of any source for which a permit under 9VAC5-80-50 through 9VAC5-80-300 was issued shall pay permit fees consistent with the requirements of 9VAC5-80-310 through 9VAC5-80-350 in addition to an annual permit maintenance fee consistent with the requirements of 9VAC5-80-2310 through 9VAC5-80-2350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department. The amount of the annual permit maintenance fee shall be the largest applicable base permit maintenance fee amount from Table 8-11A in 9 VAC 5-80-2340, adjusted annually by the change in the Consumer Price Index. (9VAC5-80-110 H, 9VAC5-80-340 C and 9VAC5-80-2340 B)

54. **General Conditions - Fugitive Dust Emission Standards** - During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

- a. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
- b. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
- c. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
- d. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
- e. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9VAC5-50-90)

55. **General Conditions - Startup, Shutdown, and Malfunction** - At all times, including periods of startup, shutdown, and soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
(9VAC5-50-20 E)
56. **General Conditions - Alternative Operating Scenarios** - Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9VAC -80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9VAC5 Chapter 80, Article 1.
(9VAC5-80-110 J)
57. **General Conditions - Inspection and Entry Requirements** - The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:
- a. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
 - b. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
 - d. Sample or monitor at reasonable times' substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9VAC5-80-110 K.2 and Condition 16 of 3/23/2011 Permit Document)

58. **General Conditions - Reopening For Cause** - The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9VAC5-80-80 F. The conditions for reopening a permit are as follows:

- a. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
- b. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
- c. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9VAC5-80-110 D.

(9VAC5-80-110 L)

59. **General Conditions - Permit Availability** - Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.
(9VAC5-80-150 E and Condition 22 of 3/23/2011 Permit Document)

60. **General Conditions - Transfer of Permits** - No person shall transfer a permit from one location to another, unless authorized under 9VAC -80-130, or from one piece of equipment to another.
(9VAC5-80-160)

61. **General Conditions - Transfer of Permits** - In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9VAC -80-200.
(9VAC5-80-160 and Condition 21 of 3/23/2011 Permit Document)

62. **General Conditions - Transfer of Permits** - In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9VAC5-80-200.
(9VAC5-80-160)

63. **General Conditions - Permit Revocation or Termination for Cause** - A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9VAC5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.
(9VAC5-80-190 C, 9VAC5-80-260 and Condition 15 of 3/23/2011 Permit Document)
64. **General Conditions - Duty to Supplement or Correct Application** - Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.
(9VAC5-80-80 E)
65. **General Conditions - Stratospheric Ozone Protection** - If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.
(40 CFR Part 82, Subparts A-F)
66. **General Conditions - Asbestos Requirements** - The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).
(9VAC5-60-70 and 9VAC5-80-110 A.1)
67. **General Conditions - Accidental Release Prevention** - If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)
68. **General Conditions - Changes to Permits for Emissions Trading** - No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9VAC5-80-110 I)

69. **General Conditions - Emissions Trading** - Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:
- a. All terms and conditions required under 9VAC5-80-110, except subsection N, shall be included to determine compliance.
 - b. The permit shield described in 9VAC -80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
 - c. The owner shall meet all applicable requirements including the requirements of 9VAC5-80-50 through 9VAC5-80-300.

(9VAC5-80-110 I)